

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MANUEL CARCHI,

Plaintiff,

-against-

PAPPARDELLA REST. CORP., et al.,

Defendants.

No. 18-CV-6598 (OTW)

ORDER

ONA T. WANG, United States Magistrate Judge:

On June 13, 2019, the Court issued an opinion and order finding that the parties' proposed settlement agreement was fair and reasonable under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015) with the exception of the agreement's release provision. (ECF 34). The parties were subsequently directed to re-submit a settlement agreement for approval with a more narrowly tailored release provision, limiting the release to the wage and hour claims at issue in this particular matter. *Id.* at 5.

The parties have filed a revised settlement agreement that limits Plaintiff's release to "all Fair Labor Standards Act ('FLSA') and New York Labor Law ('NYLL') wage and hour claims, which Claimant has or may have against Company as of the date of this Agreement." (ECF 35-1 at 3). This release is now appropriately limited to the FLSA and NYLL claims raised in Plaintiff's complaint in this matter. Accordingly, I approve the parties' settlement agreement as fair and reasonable.

IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs provided, however, that the Court retains jurisdiction pursuant to the terms of the settlement

agreement. Any pending motions are to be terminated as moot and all conferences are cancelled.

SO ORDERED.

Dated: June 26, 2019
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge